

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: EPHEDRA PRODUCTS LIABILITY :
LITIGATION. :
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04 MD 1598 (JSR)

ORDER

PERTAINS TO ALL CASES

JED S. RAKOFF, U.S.D.J.

On August 23, 2005, the Court approved a 90-day stay with respect to the so-called "Metabolife" cases, pursuant to a Stipulation of all affected parties that the Court understands is also being presented to Judge Hargrove in the related bankruptcy proceedings. Separately, pursuant to a telephonic conference of all affected parties held on August 23, 2005, the Court, on consent, hereby stays discovery in all non-Metabolife cases before this Court until the October 6, 2005 status conference, with the following exceptions: (a) the parties will be permitted during the stay to seek resolution of any outstanding discovery disputes through application to the Special Master; (b) corporate discovery previously scheduled by agreement of the PCC and counsel for NBTY during September, 2005 may proceed upon consent of the PCC and NBTY's counsel; and (c) case-specific discovery may proceed in individual cases upon consent of all counsel in those individual cases.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
August 24, 2005

